

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO, *ex rel.*
State Engineer, *et al.*,

Plaintiffs,

v.

EDUARDO ABEYTA, *et al.*, and
CELSO ARELLANO, *et al.*,

Defendants.

69cv07896 BB
RIO TAOS ADJUDICATION

69cv07939 BB
RIO HONDO ADJUDICATION

(CONSOLIDATED)

ORDER

THIS MATTER comes before the Court on the State of New Mexico, Defendant Spring Ditch Acequia Association, and Defendant Town of Taos' Expedited Joint Motion to Stay Briefing on Town's Motion. (Doc. No. 5521, January 5, 2012).

The Town of Taos filed a motion seeking to remove a state court proceeding to federal court for joinder in this case. (*See* Doc. No. 5475, filed April 15, 2011 ("Town's Motion for Writ of Certiorari")). After granting several extensions of time to file responses, the Court set a final deadline for responses for January 15, 2012. (*See* Doc. No. 5518, filed December 13, 2011). The Town of Taos, the Spring Ditch Acequia Association and the State now request that the Court stay briefing until February 19, 2012 to allow them sufficient time to complete negotiations to resolve the state court proceeding and the Town's Motion for Writ of Certiorari. (*See* Motion at 2-3). The Court will **DENY** the Town's Motion for Writ of Certiorari (Doc. No. 5475, filed April 15, 2011) **without prejudice**. The Town of Taos may refile its Motion for Writ of Certiorari if the negotiations are unsuccessful. The Court will **DENY** the Expedited Joint Motion to Stay Briefing on Town's Motion (Doc. No. 5521, January 5, 2012) as moot.

IT IS SO ORDERED.



BRUCE D. BLACK
CHIEF UNITED STATES DISTRICT JUDGE